

Oct 01, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

RUSSELL JONES and REINA JONES, a

married couple,

Plaintiffs,

v.

GRANT COUNTY HOSPITAL DIST.

NO. 1 d/b/a/ SAMARITAN HOSPITAL, a

Washington Municipality,

Defendant.

NO. 2:19-cv-00264-SAB

**ORDER DENYING MOTION TO  
DISMISS, AS MOOT**

Before the Court is Defendant's Motion to Dismiss and/or Quash Pursuant to Rule 12(b)(5) for Insufficient Service of Process. ECF No. 5. The motion was heard without oral argument. Plaintiff is represented by Ryan Best and Jacob Mark. Defendant is represented by Amy Mensik.

Defendant filed its Motion on August 29, 2019, asserting that Plaintiffs had failed to properly serve it. Since that time, Plaintiff served Kurt Kykendall on two separate occasions. As a result, it appears that Plaintiff has complied with the service requirements and therefore Defendant's motion is moot.

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**ORDER DENYING MOTION TO DISMISS, AS MOOT ~ 1**

1 Accordingly, **IT IS HEREBY ORDERED**

2 1. Defendant's Motion to Dismiss and/or Quash Pursuant to Rule 12(b)(5)  
3 for Insufficient Service of Process, ECF No. 5, is **DENIED** as moot.

4 **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
5 file this Order and provide copies to counsel.

6 **DATED** this 1st day of October 2019.



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11 Stanley A. Bastian  
12 United States District Judge  
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